

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Revenue Department – Allegation of corruption against Sri Jupaka Mogili, Village Revenue Officer, Kamalapur Village, HAC Pambapur Village, Bhupalapalli Mandal, Warangal District – Trapped by ACB Officials on 7-11-2008 – Sanction for Prosecution - Orders – Issued.

REVENUE (VIGILANCE.VII) DEPARTMENT.

G.O.Ms.No 1058

Dated:12-10-2009

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O R D E R:

Whereas, Sri Jupaka Mogili, worked as Village Revenue Officer, Kamalapur Village, HAC Pambapur Village, Bhupalapalli Mandal, Warangal District during the period from 7-2-2007 to 7-11-2008 and as such, he is public servant within the meaning of clause (c) of Section (2) of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

2. And whereas, it is alleged that Sri L.Venkatrajam is a resident of Mahamutharam Village & Mandal, Karimnagar district and eking out his livelihood by doing agriculture and on 21.06.2008, he purchased agricultural land to an extent of Ac.1-38 Guntas in Sy.Nos.96, 97 & 102/A at Pambapur Village, Bhupalapally Mandal, Warangal district from Sri Veeragoni Babu Goud vide a sale agreement (Bond paper) dated 20-6-2008 for a sale consideration of Rs. 1,20,000/-. On 15.9.2008 Sri L.Venkatrajam along with Sri Veeragoni Babu Goud approached the Tahsildar, Bhupalapally Mandal and submitted an application on 15.9.2008 for change of name in occupation column in pahan and to issue of pattadar pass book in respect of said agricultural land. On that, the Tahsildar called the Assistant Revenue Inspector (ARI) and handed over the application. The Assistant Revenue Inspector enquired with them and taken written consent of Sri Veeragoni Babu Goud for no objection to transfer his name to Sri L.Venkatrajam in revenue records and Assistant Revenue Inspector also write on the same application as "Recorded by me" and put his signature. Then, he instructed them to hand over the said application to the concern Village Revenue Officer Sri J.Mogili for process. Accordingly, Sri L.Venkatrajam and Sri Veeragoni Babu met Sri J.Mogili on the same day evening with application and requested him to receive and process his application. On that Sri J. Mogili made enquiry with Sri Veeragoni Babu Goud, about the sale the said land to Sri L.Venkatrajam for changing the name in pahan. Later on the demand Sri J.Mogili, Sri L.Venkatrajam has arranged a party to Sri J.Mogili in Dhaba (Hotel), where he demanded Sri L.Venkatrajam to pay an amount of Rs. 10,000/- as bribe to process his application and to prepare pattadar pass book. Upon which,

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Sri L.Venkataram expressed his inability to pay such a huge amount. But, Sri J.Mogili did not heed to the request of Sri L.Venkataram and informed Sri L.Venkataram that until and unless he pays the demanded bribe amount, the application would not be taken;

3. And whereas, on 3.11.2008 Sri L.Venkataram met Sri J.Mogili and requested to accept his application and to process for issuing of pattadar pass book as the pattadar passbooks are essential to avail bank loan. But Sri J.Mogili reiterated his demand to pay the bribe amount and on the persistent requests of Sri L.Venkataram, Sri J.Mogili reduced the bribe amount to Rs. 9,000/- and informed him to pay an amount of Rs. 2,000/- initially along with application and pay the remaining bribe amount later. Sri L.Venkataram reluctantly agreed to pay the demanded bribe amount to Sri J.Mogili within 3 or 4 days. As Sri L.Venkataram was not willing to pay the bribe amount to Sri J.Mogili, he approached the Inspector, Anti-Corruption Bureau, Karimnagar Range, and lodged a Telugu written complaint on 6.11.08 at 11.00 AM, with a request to take necessary action against Sri J.Mogili. Sri L.Venkataram was asked to come to Anti Corruption Bureau Office, Karimnagar on 7.11.2008 at 04-30 hours along with the demanded bribe amount of Rs.2,000/- which he intended to pay as bribe to Sri J.Mogili. On receipt of the complaint, confidential enquiries were made with regard to the genuineness of the complaint, reputation of Sri J.Mogili etc., and a case in Cr.No.23/ACB-KNR/2008 under section 7 of Prevention of Corruption Act,1988 was registered on 7-11-2008 at 05-00 A.M. and took up investigation;

4. And whereas, on 7-11-2008 at 8.10 A.M., when Sri L.Venkataram approached and met Sri J.Mogili at his residence and requested him to receive his application and to include his name in occupation column in pahani and to process in issuing pattadar passbooks. On that Sri J.Mogili enquired whether the demanded bribe amount was brought or not, on the affirmative reply Sri J.Mogili demanded to pay the bribe amount of Rs.2,000/- then he took a wad of currency notes from his left shirt pocket and offered the same to Sri J.Mogili and, who accepted the same with his right hand and counted with both hands, and Sri J.Mogili also received the application. Then Sri J.Mogili gave assurance that he will start the process as early as possible, he went inside house along with the application and tainted amount. Soon after accepting of bribe amount Sri J.Mogili, Sri L.Venkataram came out from the house of Sri J.Mogili and gave a pre-arranged signal to the trap party. On observing the signal from Sri L.Venkataram, the trap party rushed into the residential house of Sri J.Mogili and found a person sitting on the chair and Sri L.Venkataram was asked Sri J.Mogili by the Deputy Superintendent of Police to wait outside. The Deputy Superintendent of Police, Anti Corruption Bureau disclosed his identity and introduced the mediators after ascertaining the identity of that person as Jupaka Mogili S/o Malagama, 38 years, Occ: Village Revenue Officer, Kamalapur Village, HAC Pambapur Village, Bhupalapalli Mandal, Warangal District. The Deputy Superintendent of Police, Anti-Corruption Bureau got prepared the sodium carbonate solution in two glass tumblers

and requested Sri J.Mogili to rinse his both hand fingers in the colourless sodium carbonate solution separately. When he did so, the colourless solution in which Sri J.Mogili rinsed his right and left and fingers turned into pink colour. Then the Deputy Superintendent of Police, Anti-Corruption Bureau questioned Sri J.Mogili whether he just then demanded and accepted any bribe amount from Sri L.Venkatrajan. On that Sri J.Mogili stated that on 7-11-2008 Sri L.Venkatrajan came to his house and gave an application along with Rs. 2000/- and the same was accepted and both application and amount was kept in his residence in the table drawer. On that the Deputy Superintendent of Police, Anti-Corruption Bureau asked him to produce the bribe amount which he accepted from Sri L.Venkatrajan, Sri J.Mogili voluntarily took out a wad of currency notes from the table drawer which was kept in a kitchen cum bedroom before the mediators. On the request of Deputy Superintendent of Police, Anti Corruption Bureau, one of the mediators verified the wad of currency and found tallied with the notes already mentioned in pre trap proceedings. Then the Deputy Superintendent of Police, Anti Corruption Bureau asked Sri J.Mogili to produce the Rs.2000/- for further investigation. The Deputy Superintendent of Police, Anti Corruption Bureau asked Sri J.Mogili, to took out the application along with enclosures from the said drawer and the same was produced before the mediators. On perusal of the application it was tallied with the application which was produced by Sri L.Venkatrajan at the time of pre trap proceedings. The Deputy Superintendent of Police got prepared Sodium Carbonate solution in another two glass tumblers and subjected the application and one electricity bill, on which the tainted amount was kept by the Sri J.Mogili the test yielded positive results. The same were seized by the Deputy Superintendent of Police with the attestation of mediators for further investigation. The sample of sodium carbonate used for preparation of Sodium carbonate salutation was preserved in a cover. The resultant solutions were transferred into 4 bottles and they were got sealed, labelled and attested by the mediators;

5. And whereas, the above said acts of Sri J.Mogili, Village Revenue Officer, Kamalapur Village, HAC Pambapur Village, Bhupalapalli Mandal, Warangal District constitutes offences punishable under section 7 and section 13 (1)(d) read with section 13(2) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri Jupaka Mogili, Village Revenue Officer at Kamalapur Village, HAC Pambapur Village, Bhupalapalli Mandal, Warangal District from Government service after carefully examining the material (FIR, Pre-trap and post trap proceedings) placed before them in respect of the said allegations and having regard to the facts and circumstances of the case and consider that, the said Sri J.Mogili should be prosecuted in a competent court of law for the aforesaid offences;

7. Now, therefore, in exercise of the powers conferred by clause(b) of sub-section (1) of section 19 of the Prevention of Corruption Act 1988(Act 49 of 1988) Government hereby accord sanction for the prosecution of the

said Sri Jupaka Mogili, Village Revenue Officer, Kamalapur Village, HAC Pambapur Village, Bhupalapalli Mandal, Warangal District for the offences punishable under section 7 and section 13(1) (d) read with section 13(2) of the Prevention of Corruption Act 1988 and for any other cognate offence punishable under any other provisions of law for the time being in force in respect of the above said acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)
ASUTOSH MISHRA

PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti -Corruption Bureau,
A.P.,Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER